IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO. 515 OF 2005

ICICI Bank Ltd. ... Appellants.
Versus.
Ajinkyata Sahakari Sakhar Karkhana
Ltd. and others. ... Respondents.

Shri Ravi Kadam, the Advocate General, i/by M/s.Manilal Kher Ambalal & Co.for the Appellants.

Shri Borulkar for the Respondent No.1.

Shri S.M.Gorwadkar for the Respondent No.2.

CORAM : ABHAY S. OKA, J.

DATED : 25th April, 2005.

P.C.:

1. Heard the learned Counsel for the parties. The learned Counsel appearing for the Appellant states that in view of section 26 of the Bombay Civil Courts Act, 1869, and the valuation for jurisdiction made by the Respondent No.1 in his suit, Appeal from order will lie to the District Court. This position is not disputed by the learned Counsel for the Respondents.

2. In view of this position the Memorandum of Appeal is ordered to be returned to the Appellant for presentation before the proper Court.

3. The Memorandum of Appeal shall be taken by the Appellant and lodged in the District Court as expeditiously as possible and in any event on or before

6th June 2005. The parties are directed to appear before the learned District Judge at Satara at 11.00 a.m. on 7th June 2005.

4. Considering the nature of controversy involved in the Appeal, the Appeal Court will decide the Appeal as expeditiously as possible and in any event on or before 31st August 2005.

5. The parties and the lower Appellate Court to act on authenticated copy of the order.

Judge.